

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

DAVID LEIBOWITZ, BENJAMIN
LEIBOWITZ, JASON LEIBOWITZ,
AARON LEIBOWITZ, and PINCHAS
GOLDSHTEIN

Plaintiffs,

v.

IFINEX INC., BFXNA INC., BFXWW
INC., TETHER HOLDINGS LIMITED,
TETHER OPERATIONS LIMITED,
TETHER LIMITED, TETHER
INTERNATIONAL LIMITED,
DIGFINEX INC., PHILIP G. POTTER,
GIANCARLO DEVASINI,
LUDOVICUS JAN VAN DER VELDE,
REGINALD FOWLER, CRYPTO
CAPITAL CORP., and GLOBAL TRADE
SOLUTIONS AG,

Defendants.

Case No. 1:19-cv-09236-KPF

Honorable Katherine Polk Failla

Affidavit of Michael Perklin

I, Michael Perklin, declare under penalty of perjury, as follows:

1. I am over the age of eighteen (18), I am not a party to this action, and I currently reside in Denver, Colorado. I have been retained as an expert in this matter.

2. I base the facts and opinions in this declaration on my personal knowledge, education, experience, and documents provided to me by counsel. If called as a witness, I could and would testify to the truth of these facts and opinions under oath.

3. I believe that my education and experience fully qualify me to make the statements contained in this declaration.

4. I earned my diploma in computer sciences in 2004, my bachelor's degree in applied information sciences (information security) in 2009, both from Sheridan College. I then went on to earn my masters degree in information assurance, information security in 2011 from Davenport University. I hold the Certified Bitcoin Professional (CBP) designation, as well as Certified Information Systems Security Professional (CISSP) and Certified Information Systems Auditor (CISA).

5. I was a digital forensic investigator for 8 years, spending 4 of them investigating blockchain systems exclusively. Since then, I have acted as the Chief Information Security Officer (CISO) of ShapeShift AG for 3 years, which operates a leading blockchain platform for the public. My numerous investigations have lead me to serve as an expert witness in two separate countries, and the evidence and recommendations delivered by my investigations have assisted dozens of companies around the world in securing their blockchain systems, and have placed attackers of those systems behind bars. I act as an advisor to a company that builds blockchain forensic analysis systems, I have taught courses on blockchain forensics and investigations, and I am the principal author of the

CryptoCurrency Security Standard (CCSS) which is regularly referenced by blockchain companies and governments around the world as they write new laws and regulations that affect blockchain technologies.

6. I set forth additional facts about my background and qualifications in my curriculum vitae, attached as Exhibit A.

7. Blockchain data is readily available to the public and can be retrieved with minimal effort from many sources by anyone sufficiently familiar with blockchain systems.

8. Professor John Griffin's report, "Is Bitcoin Really Un-Tethered?," utilizes such publicly available blockchain data from the Bitcoin and Tether blockchains.

9. Data referenced in the *Young* Complaint is similarly retrievable by querying the Bitcoin, Ethereum, EOS, and Tron blockchains.

Dated: January 27, 2020

MICHAEL PERKLIN